

COMMUNITY DEVELOPMENT AUTHORITY
CITY OF WEST ALLIS, WISCONSIN
RESOLUTION NO. 1455
DATE ADOPTED: May 9, 2023

Resolution authorizing utility easements to AT&T for underground utilities, to be located at 6601 W. National Ave.

WHEREAS, the Community Development Authority of the City of West Allis (the "Authority") owns the property located at 6601 W. National Avenue (Tax Key Parcel: 454-0653-000) and is associated with the SONA and Makers Row redevelopment projects; and,

WHEREAS, AT&T has requested placement of a 5' wide non-exclusive easement area for the installation of a underground communication cable (the "Easement") on the Property, which; and,

WHEREAS, the proposed utility line will be placed underground under the drive through the development site Lot 3 and Lot 1 of the certified survey map, hereby attached as Exhibit A; and,

WHEREAS, a copy of the Easement Agreement is attached herein and made a part thereof; and,

NOW, THEREFORE, BE IT RESOLVED by the Community Development Authority of the City of West Allis as follows:

1. That an Easement Agreement will be granted on behalf of the Community Development Authority of the City of West Allis to AT&T for the installation of underground utilities, to be located at 6601 W. National Ave., a copy attached herein and made a part thereof.
2. That the Executive Director or his designee, be and is hereby authorized and directed to negotiate, sign documents, and take necessary action to undertake, direct, complete, execute and deliver the Easement Agreement by and between the Community Development Authority of the City of West Allis and AT&T.
3. That the Executive Director of development, with approval of the city attorney, or their designees, are hereby authorized to make such nonsubstantive changes, modifications, additions and deletions to and from the various provisions of any and all loan commitments, the sale of land, loan agreements, mortgages, notes, guaranties, security agreements, escrow agreements, certificates, affidavits, assignment agreements, pledges, disbursing agreements, subordination agreements, environmental agreements, indemnification agreements, land use restriction agreements, certified survey maps, easements, operating reserve agreements, replacement reserve agreements, working capital agreements, grant agreements and financing statements, development agreements, property management agreements, consulting agreements, escrow agreements, certificates, affidavits, reimbursement agreements, assignment agreements, attachments, exhibits, addendums, amendments and/or any other documents as may be necessary, proper and convenient to correct inconsistencies, eliminate ambiguity, and otherwise clarify and supplement said provisions to preserve and maintain the general intent thereof, and to prepare and deliver such other and further documents as may be reasonably necessary to complete the transactions contemplated therein."

Approved: _____



Patrick Schloss, Executive Director
Community Development Authority

AT&T - WISCONSIN NON-EXCLUSIVE & EXCLUSIVE EASEMENT

DOCUMENT NUMBER

UT# A02AXSA

For a valuable consideration of one dollar (\$1.00), receipt of which is hereby acknowledged, the undersigned **COMMUNITY DEVELOPMENT AUTHORITY OF THE CITY OF WEST ALLIS** (Grantor) hereby grants and conveys to **WISCONSIN BELL INC., D/B/A. AT&T - WISCONSIN, A WISCONSIN CORPORATION**, and its affiliates and licensees, successors and assigns (collectively grantees an easement in, under, over, upon and across the Easement Area (described below), for the purposes of and in order to construct, reconstruct, modify, supplement, maintain, operate and/or remove facilities for the transmission of signals used in the provision of communication, video and/or information services and/or any other services or uses for which such facilities may be used including, but not limited to, equipment cabinets or enclosures and support posts or pads, cables, wires, pedestals or other above-ground cable or wire enclosures, marker posts and signs, and other related or useful equipment, fixtures, appurtenances and facilities, together with the right to have commercial electrical service extended across the Property (described below) and Easement Area to provide service to such facilities and the right of ingress and egress across the Property and the Easement Area for the purpose of access to and use of the easement granted herein.

RETURN ADDRESS:

Matthew D Grimm
AT&T - Wisconsin
220 Wisconsin Ave.
Waukesha, WI. 53186.

PARCEL NUMBER: 4540653000, 4540656000

The property is legally described as: PART OF LOTS 1 AND 4 OF CERTIFIED SURVEY MAP 9370, BEING PART OF THE SW ¼ AND THE NW ¼ OF THE NE ¼, IN SECTION 3, TOWNSHIP 6 NORTH, RANGE 21 EAST, CITY OF WEST ALLIS, MILWAUKEE COUNTY, WISCONSIN.

The Non-Exclusive and Exclusive Easement Areas are legally described as: SEE EXHIBIT A FOR LEGAL DESCRIPTION

The property is more commonly known as: Located on W. Mitchell Street, West Allis, WI.

The Grantor represents and warrants to the Grantee that Grantor is the true and lawful owner of the Property and has full right and power to grant and convey the rights conveyed herein.

Grantee hereby agrees to restore all property disturbed by its activities in use of the easement to the condition existing prior to the disturbance.

Grantee shall have the right to remove or trim such trees and brush in the Easement Area as is necessary to exercise the rights conveyed herein.

This Easement is binding upon and shall inure to the benefit of the heirs, successors, assigns, and licensees of the parties hereto.

SIGNED THIS 10 DAY OF May, 2023.

GRANTOR: COMMUNITY DEVELOPMENT AUTHORITY OF THE CITY OF WEST ALLIS

[Signature]
(Signature)

Patricia Schloss
(Printed)

Executive Director
(Title)

(Signature)

(Printed)

(Title)

ACKNOWLEDGMENT

State of Wisconsin)

County of Milwaukee)

I, Gale M. Jender, being a notary public in and for the state and county aforesaid, do hereby certify that

Patricia Schloss, Executive Director

personally known to me to be the same persons whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this 10 day of May, 2023.

Gale M. Jender
Notary Public

My Commission expires: 10/8/24



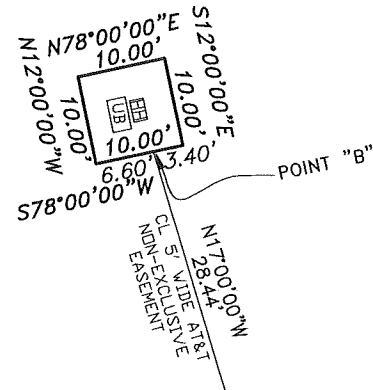
This document was drafted by Gerald A. Friederichs, Wis. Bar Member No. 1014144, AT&T - Wisconsin Legal Department, 14th Floor, 722 North Broadway, Milwaukee, WI 53202

Insertions by: Fox Valley Land Surveying

EXHIBIT "A" FOR AT&T EASEMENT

SEE DETAIL "A" FOR
10'X10' EXCLUSIVE
EASEMENT

DETAIL "A" 10'X10' AT&T EXCLUSIVE EASEMENT



LEGAL DESCRIPTION OF 5' WIDE AT&T NON-EXCLUSIVE EASEMENTS:
PART OF LOT 1 OF CERTIFIED SURVEY MAP 9370, BEING PART OF THE SW 1/4 AND THE NW 1/4 OF THE NE 1/4, IN SECTION 3, TOWNSHIP 6 NORTH, RANGE 21 EAST, CITY OF WEST ALLIS, MILWAUKEE COUNTY, WISCONSIN.

THE CENTERLINE OF THE 5' WIDE EASEMENTS, BEING DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 89 DEGREES 34 MINUTES 19 SECONDS WEST 20.00 FEET, ALONG THE SOUTH LINE OF SAID LOT 1 AND THE NORTH R/W LINE OF W. MITCHELL STREET, TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 30 MINUTES 00 SECONDS EAST 7.00 FEET, TO A POINT BEING REFERRED TO AS POINT "A"; THENCE NORTH 00 DEGREES 30 MINUTES 00 SECONDS EAST 244.00 FEET; THENCE NORTH 13 DEGREES 00 MINUTES 00 SECONDS EAST 69.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 211.00 FEET; THENCE NORTH 50 DEGREES 30 MINUTES 00 SECONDS EAST 40.00 FEET; THENCE NORTH 53 DEGREES 00 MINUTES 00 SECONDS EAST 67.00 FEET; THENCE NORTH 17 DEGREES 00 MINUTES 00 SECONDS WEST 28.44 FEET, TO A POINT BEING REFERRED TO AS POINT "B", TO THE TERMINATION POINT;

AND BEGINNING AT SAID POINT "A"; THENCE SOUTH 86 DEGREES 00 MINUTES 00 SECONDS WEST 40.30 FEET, TO A POINT BEING REFERRED TO AS POINT "C", TO THE WEST LINE OF SAID LOT 1, TO THE TERMINATION POINT, THE SIDES OF SAID 5' WIDE EASEMENT EASEMENT TO EXTEND OR TRIM TO SAID LINES OF LOT 1, AND THE SOUTH LINE OF THE DESCRIBED 10'X10' EXCLUSIVE EASEMENT;

AND
PART OF LOT 4 OF CERTIFIED SURVEY MAP 9370, BEING PART OF THE SW 1/4 OF THE NE 1/4, IN SECTION 3, TOWNSHIP 6 NORTH, RANGE 21 EAST, CITY OF WEST ALLIS, MILWAUKEE COUNTY, WISCONSIN.

THE CENTERLINE OF THE 5' WIDE EASEMENT, BEING DESCRIBED AS FOLLOWS:
BEGINNING AT SAID POINT "C" ABOVE; THENCE SOUTH 86 DEGREES 00 MINUTES 00 SECONDS WEST 10.00 FEET, TO THE TERMINATION POINT, THE SIDES OF SAID 5' WIDE EASEMENT EASEMENT TO EXTEND OR TRIM TO THE EAST LINE OF SAID LOT 4;

LEGAL DESCRIPTION OF 10'X10' AT&T EXCLUSIVE EASEMENT:

PART OF LOT 1 OF CERTIFIED SURVEY MAP 9370, BEING PART OF THE SW 1/4 AND THE NW 1/4 OF THE NE 1/4, IN SECTION 3, TOWNSHIP 6 NORTH, RANGE 21 EAST, CITY OF WEST ALLIS, MILWAUKEE COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

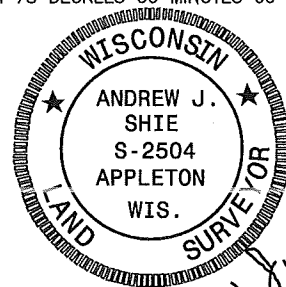
BEGINNING AT POINT "B" DESCRIBED ABOVE:
THENCE SOUTH 78 DEGREES 00 MINUTES 00 SECONDS WEST 6.60 FEET; THENCE NORTH 12 DEGREES 00 MINUTES 00 SECONDS WEST 10.00 FEET; THENCE NORTH 78 DEGREES 00 MINUTES 00 SECONDS EAST 10.00 FEET; THENCE SOUTH 12 DEGREES 00 MINUTES 00 SECONDS EAST 10.00 FEET; THENCE SOUTH 78 DEGREES 00 MINUTES 00 SECONDS WEST 3.40 FEET, TO THE POINT OF BEGINNING.

LEGEND

- HH EXISTING AT&T HANDHOLE
- UB EXISTING AT&T UTILITY BOX



Scale 1 inch = 100 feet
0 50 100 200



Andrew J. Shie
3/2/2023

W. MITCHELL STREET
(60' WIDTH)

UT# A02AXSA
**FOX VALLEY
LAND SURVEYING**

4321 W. College Ave., Suite 200
Appleton, WI 54914
920-474-5025
PROJECT NO. 062103-1